

# Notice of Allowability

Application No.

09/823,632

Examiner

Yubin Hung

Applicant(s)

SCHWARTZ, EDWARD L.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 4 October 2005.
2. ☒ The allowed claim(s) is/are 1-42.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 4/18/04, 5/20/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

***Response to Amendment/Arguments***

1. This action is in response to the amendment filed on October 4, 2005, which has been entered.
2. In view of Applicant's amendment, the objection to the drawings has been withdrawn.
3. Regarding claim 1 (and similarly claim 22), Applicant argues (see page 14, 2<sup>nd</sup> paragraph, lines 8-12 of the amendment filed October 4, 2005) that none of the three recited references are directed to the problem of reducing the memory size requirement. However, this is incorrect since by truncating the least significant bit planes as disclosed in Wang the memory requirement is reduced. [Per the analysis of the rejection of claim 1.]
4. Applicant's arguments, see last paragraph, page 14 through 1<sup>st</sup> paragraph, page 15, filed 10/04/2005, with respect to claim 1 (and similarly claim 22) have been fully considered and are persuasive. The 35 USC 103(a) rejection of claims 1, 22 and their respective dependent claims 2-21 and 23-42 has been withdrawn.

***Allowable Subject Matter***

5. Claims 1-42 are allowed.
6. The following is an examiner's statement of reasons for allowance:

[Note: Per page 72, paragraph 0167, line 3 of the specification (indicating that bitplane is the same as bit in this context) and page 15, 3<sup>rd</sup> paragraph, lines 2-3 of the amendment filed August 30, 2004, there is one counter per coefficient. Page 15, 3<sup>rd</sup> paragraph, lines 6-9 of the same amendment further indicates that the counter is the same as the "indication" of claim 1 and that there can be only one coefficient per row, since two different coefficients may have different starting bits (of the bits that are to be stored) and therefore the locations of the two starting bits in the memory row cannot be indicated by only one counter. Claim 1, and similarly claim 22, is construed accordingly.]

6.1 Regarding claim 1, and similarly claim 22, closest art of record Yip (US 6,606,416) and Wang (US 6,088,395) in combination discloses a method for encoding coefficients by wavelet transformation and subsequently, for each coefficient, storing only a proper subset of consecutive bits. [Per the analysis of claim 1.] However, since the combined invention of Yip and Wang achieves reduced memory requirement by dropping the same least significant bit planes, it would not have a need to store

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"indications" (one per row) to indicate a location at which bits of more significant bit planes have started to be stored since for all coefficients the starting bit will always be the most significant bit.

While Ohsawa (US 5,875,039) discloses using a pointer (i.e., the "indication" of claim 1) to indicate a position in the memory to skip to (thereby ignoring data that have been skipped over; see Fig. 9, refs. 90, 91 and Col. 11, lines 23-44), only one such pointer is used, instead of one per memory row, as required by claim 1.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Contact Information***


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yubin Hung whose telephone number is (571) 272-7451. The examiner can normally be reached on 7:30 - 4:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (571) 272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yubin Hung  
Patent Examiner  
October 28, 2005

  
**BHAVESH MEHTA**  
**SUPERVISOR**  
**TECHNOLOGY CENTER 2600**